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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,046	09/29/2003	Andrew John Farnsworth	555255012582	2586
44208	7590	02/03/2006	EXAMINER	
DOCKET CLERK			SMITH, SHEILA B	
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DALLAS, TX 75225			PAPER NUMBER	

2681

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/674,046	FARNSWORTH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sheila B. Smith	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply** ✓

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pedlar (U. S. Patent Publication Number 2004/0224686) in view of Vialen et al. (U.S. Patent Number 6,898,429)

*Regarding claim 1*, Pedlar discloses all the claimed invention as set fourth in the instant application, in addition Pedlar discloses a apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment, further Pedlar discloses a method of responding to a Cell or URA Update Confirm message received in a user equipment in a communications system, the method comprising the steps of: receiving a Cell or URA Update Confirm message; determining whether the message places the user equipment in a state that requires a response prior to entering the state; determining whether the message contains a C-RNTI element; and in the event that a response is required and that the message contains a C-RNTI element, using the element to send a response message (which reads on paragraphs 0011, 0033, 0034). However Padlar fails to disclose a new C-RNTI element.

In the same field of endeavor Vialen et al. discloses a identifier allocation method. Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to improve Pedlar by modifying the apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment with the use of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common channel messages and to save capacity on common radio channels.

**Regarding claim 2**, Pedlar discloses everything claimed, as applied above (see claim 1 ) additionally, Pedlar discloses a in the event that the message does not contain a C-RNTI element, using an existing C-RNTI element to send the response message (which reads on paragraphs 0033,0034). However Padlar fails to disclose a new C-RNTI element.

In the same field of endeavor Vialen et al. discloses a identifier allocation method. Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to improve Pedlar by modifying the apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment with the use of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common channel messages and to save capacity on common radio channels.

**Regarding claim 3**, Pedlar discloses everything claimed, as applied above (see claim 1 ) additionally, Pedlar discloses a entering the state after sending the response message (which reads on paragraphs 0033,0034).

**Regarding claim 4**, Pedlar discloses everything claimed, as applied above (see claim 1 ) additionally, Pedlar discloses a wherein the state comprises the CELL\_PCH or URA\_PCH state. (which reads on paragraphs 0011, 0012).

**Regarding claim 5**, Pedlar discloses all the claimed invention as set forth in the instant application, in addition Pedlar discloses a apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment, further Pedlar discloses a user equipment for providing a response to a Cell or URA Update Confirm message in a communications system, the equipment comprising: means for receiving a Cell or URA Update Confirm message; means for determining whether the message places the user equipment in a state that requires a response prior to entering the state; means for determining whether the message contains a C-RNTI element; and in the event that a response is required and that the message contains a C-RNTI element, means for sending a response message using the C-RNTI element (which reads on paragraphs 0011,0012, 0034). However Padlar fails to disclose a new C-RNTI element.

In the same field of endeavor Vialen et al. discloses a identifier allocation method. Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to improve Pedlar by modifying the apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment with the use of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common channel messages and to save capacity on common radio channels.

**Regarding claim 6**, Pedlar discloses everything claimed, as applied above (see claim 1 ) additionally, Pedlar discloses a the event that the message does not contain a C-RNTI element, using an existing C-RNTI element for sending the response message (which reads on paragraph 0034). However Padlar fails to disclose a new C-RNTI element.

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In the same field of endeavor Vialen et al. discloses a identifier allocation method.

Vialen et al. discloses the use of a new C-RNTI element as disclosed in column 4 lines 63-67.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to improve Pedlar by modifying the apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment with the use of a new C-RNTI element as taught by Vialen et al. for the purpose of shorting the common channel messages and to save capacity on common radio channels.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.


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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith   
January 22, 2006

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER